

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHNNY AARON, et al.,

Plaintiffs,

v.

TONY MOULATSIOTIS, et al.,

Defendants.

Hon. Janet T. Neff

Case No. 1:19-cv-91

ORDER

This matter is before the Court on Defendant's Motion for Judgment on the Pleadings. (ECF No. 52). In support of his motion, Defendant cites to and relies upon matters outside the pleadings. Rather than exclude such items, the Court chooses instead to treat Defendant's motion as a motion for summary judgment. *See* Fed. R. Civ. P. 12(d). Accordingly, Plaintiffs may supplement their response to Defendant's motion, but must do so no later than November 1, 2019. Likewise, Defendant may supplement his motion, but must do so no later than November 15, 2019. The Court will then resolve Defendant's motion pursuant to the standard applicable to motions for summary judgment under Federal Rule of Civil Procedure 56.

IT IS SO ORDERED.

Dated: October 3, 2019

/s/ Ellen S. Carmody
ELLEN S. CARMODY
U.S. Magistrate Judge